

TTAB

Docket No. 25060.039

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In The Matter of Application Serial No. 76/539,172
Published in the Official Gazette of September 27, 2005

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CITIGROUP GLOBAL MARKETS LIMITED INC.,

Opposer,

v.

NASSER SABER,

Applicant.

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Commissioner for Trademarks
BOX TTAB FEE
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION
OPPOSITION NO.

Opposer, Citigroup Global Markets, Limited, a U.K. corporation, having a business address of Victoria Plaza, 111 Buckingham Palace Road, London, UK SW1 WSB (hereinafter referred to as "Opposer") believes that it will be damaged by and hereby opposes the registration of Applicant's mark SABER SYSTEM. The grounds for opposition are as follows:

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as **First Class Mail** in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on

12-20-05
(Date of Deposit)

Dianne Becha
(Print name)

[Signature]
(Signature)

25060/039/723504.1



12-22-2005

U.S. Patent & TMO/TM Mail Rpt Dt. #26

1. Applicant Citigroup Global Markets Limited (hereinafter "Applicant") seeks to register SABRE as a service mark for use in "financial and investment services, namely an order and execution system for buying and selling fixed income securities.

2. Since long prior to August 21, 2003, the filing date of Applicant's application, or since at least as early as December 31, 1997, Opposer has used the mark SABRE on an order and execution system for buying and selling fixed income securities in Class 36.

3. On August 21, 2003, Applicant filed an intent-to-use application to register the mark SABER SYSTEM for "Financial services, namely on-line investment advice" in Class 36. The term "System" is not distinctive and has been disclaimed.

4. Applicant's SABER SYSTEM mark so resembles Opposer's SABRE mark as to be likely, when applied to Applicant's services, to cause confusion or to cause mistake, or to deceive. Although the marks SABRE and SABER are spelled slightly differently, they are pronounced identically. Applicant's services in Class 36 bearing the applied for mark and Opposer's services under the SABRE mark are identical or closely related.

5. The U.S. Trademark Office has stated in its Office Action issued against the Opposer's SABRE mark that there may be a likelihood of confusion between the marks SABRE and SABER SYSTEM if SABER SYSTEM were to mature to registration.

6. If Applicant is permitted to register its SABER SYSTEM mark for the services set forth in Applicant's application, confusion of the trade and public is likely to result, such confusion resulting in damage and injury to Opposer.

7. Customers and potential customers, upon seeing Applicant's Mark used in connection with its services are likely to believe, in error, that such services are offered in association or affiliation with or under license from Opposer.

WHEREFORE, Opposer prays that registration of the mark set forth in Application Ser. No. 76/605,583 be refused and that this opposition be sustained.

The filing fee of \$300.00 is enclosed herewith. If this fee is deficient and additional fees are required, please charge Opposer's Deposit Account No. 03-3415.

Respectfully submitted,

CITIGROUP GLOBAL MARKETS LIMITED

Date: December 20 , 2005

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